

REMARKS

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants respectfully request entry of this Rule 116 Response and Request for Reconsideration because:

(a) All claims except one have been allowed, and the rejected claim has been amended as suggested by the Examiner; it is believed that the amendment of claim 21 puts this application into condition for allowance as suggested by the Examiner; and/or

(b) the amendment of claim 21 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised;

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION OF CLAIM 21

In the Office Action, at page 3, claim 21 was rejected as being unsupported by the specification. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 21 has been amended in accordance with the Examiner's suggestion and is now believed to be in allowable form.

CONCLUSION

In accordance with the foregoing, claim 21 has been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-23 are pending and under consideration; claims 1-20, 22 and 23 have been allowed. Reconsideration is respectfully requested.

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: March 5, 2004

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